SAFE DRINKING WATER ACT AN OVERVIEW

February 2015

Understanding the SDWA

- Originally passed by Congress in 1974 to protect public health by regulating the nation's public drinking water supply. Focused primarily on treatment as the means of providing safe drinking water at the tap
- Amended in 1986 and 1996. Amendments enhanced 1974 law by recognizing source water protection, operator training, funding for water system improvements, and public information as important components of safe drinking water.
- Does not regulate wells which serve fewer than 25 individuals.
- Authorizes EPA to set national health-based standards for drinking water to protect against both naturally-occurring and man-made contaminants that may be found in drinking water.

Understanding the SDWA con't

- Each DW standard includes requirements for water systems to test for contaminants in the water to make sure standards are achieved.
- States apply for authority ("primacy") to implement the standards.
- All of the R10 states have primacy to implement the SDWA.
- Hence the Washington Department of Health is responsible for implementing the SDWA, i.e., oversight of all water sampling, treatment, compliance and enforcement.

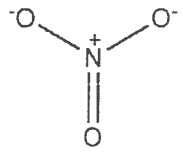
Drinking Water Standards & Health Effects

- EPA has set standards for 90+ chemical, microbiological, and radiological contaminants in DW and reviews these standards every six-years to determine if changes are needed.
- EPA and other organizations continue to conduct research and collect information to determine which currently unregulated contaminants pose a risk to public health and therefore need to be regulated in the future.
- EPA also sets secondary drinking water regulations, which are established as guidelines to assist public water systems in managing their drinking water for aesthetic and cosmetic considerations.
- States are not required to adopt and enforce secondary standards, but may choose to do so.

Drinking Water Standards and Health Effects con't

- DW standards apply to public water systems (PWSs), which provide water to at least 15 service connections or 25 persons at least 60 days out of the year.
- Federal drinking water standards do not apply to water coming from private wells
- EPA recommends private wells be tested at least annually for nitrate and coliform bacteria.
- Some states, such as Washington, have established limited requirements for water systems that are not large enough to meet the federal PWS definition.

Overview of Nitrate Standard



- Who is required to monitor for Nitrate
  - All PWSs supplied by surface water, ground water, or ground water under the direct influence of surface water
- What is the Maximum Contaminant Level (MCL)
  - 10 mg/L for all public water systems
- What is the monitoring frequency
  - Community and non-transient non-community water systems
    - Monitor annually
    - If results are ≥ 5mg/L but do not exceed the MCL; system must monitor quarterly for at least 4 consecutive quarters
    - Depending on quarterly results - may be able to return to annual monitoring
  - Transient non-community water systems
    - Monitor annually

Drinking Water Monitoring, Compliance & Enforcement

- PWSs are responsible for complying with all regulations, including meeting MCLs, meeting treatment technique requirements, monitoring, reporting, record keeping, and public notification.
- States maintain all drinking water data in a state database and report all MCL, treatment technique, monitoring and reporting violations to EPA.
- States engage in a variety of activities to help water systems remain in or return to compliance by visiting water systems, reviewing their facilities, equipment, and operations, helping systems invest in preventive measures, providing financial assistance for system improvements, and conducting enforcement activities where necessary.

Protecting Drinking Water Sources

- The Underground Injection Control Program is responsible for regulating the construction, operation, permitting, and closure of injection wells that place fluids underground for storage or disposal.
- States are responsible for completing assessments for PWSs in major metropolitan areas, small towns, schools, restaurants, and other public facilities that have a well or surface water supply.
- Currently, states are provided funding annually to continue the implementation and updating of the plans that were developed.

Source Water Protection con't

- The Washington Department of Health completed the following:
  - Delineating (mapping) the source water protection areas
  - Conducted an inventory of potential sources of contamination in those areas
  - Determined the susceptibility of PWSs to those contamination sources.
- The Washington Dept. of Health has a source water protection program and can provide additional details.

SDWA Section 1431

Administrator has broad powers to take appropriate enforcement action if he/she receives information that:

- A contaminant is present or likely to enter a Public Water System or Underground Source of Drinking Water
- The contaminant may present an "imminent and substantial endangerment" to human health, and
- The appropriate State and local authorities have not acted to protect public health

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SDWA Section 1431

Remedial actions that may be ordered:

- Provision of alternate water supply
- Public notification of hazards
- A study to determine the extent of contamination, including inventory and monitoring of PWSS and private wells or ground water
- An engineering study proposing a remedy to eliminate the endangerment and a timetable for its implementation
- The halting of the disposal of contaminants that may be contributing to the endangerment
- Commencing a civil action for appropriate relief including a restraining order, or a temporary or permanent injunction. The injunction would require the... responsible party to take steps to abate the hazard

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